

December 2, 2020

The Honorable Nicholas G. Garaufis  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

RE: Plaintiffs' joint letter regarding *State of New York, et al. v. Trump, et al.*, No. 17-CV-5228 (NGG) (VMS), and *Batalla Vidal, et al. v. Wolf, et al.*, No. 16-CV-4756 (NGG) (VMS).

Dear Judge Garaufis,

Plaintiffs in *State of New York v. Trump*, No. 17-CV-5228, and *Batalla Vidal v. Wolf*, No. 16-CV-4756, submit this joint letter to seek leave to file a reply in support of their motion for partial summary judgment by this Friday, December 4, 2020, and to correct a misrepresentation by Defendants in their opposition to Plaintiffs' motion for summary judgment. Defendants stated that they do not oppose Plaintiffs' request to file a reply.

Defendants' opposition states that Plaintiffs declined a request to meet and confer regarding the scope of relief sought in this case. Dkt. 350 at 3 n.3. That assertion is inaccurate. On November 23, Defendants suggested meeting and conferring. Plaintiffs agreed, and proposed doing so on November 25 so Defendants could review Plaintiffs' requested relief and have an informed discussion after consulting their clients. *See Exhibit 1*. Defendants did not respond to Plaintiffs' offer.

Plaintiffs were unwilling to interrupt the briefing schedule on these motions because we agree with the Court that there is no good reason for further delay. *See Nov. 18 Hr'g Tr. at 24:21-25:11*. Today, after reviewing Defendants' response, Plaintiffs renewed their willingness to meet and confer, and specifically to discuss whether the parties can reach agreement on the conversion of one-year DACA grants and employment authorizations. Plaintiffs propose to update the Court not later than Friday, December 4, regarding whether the parties can stipulate to this or any other relief.

Plaintiffs also seek leave to file a short reply memorandum limited to one part of their motion and Defendants' opposition: specifically, the question of relief for individuals who accrued unlawful presence as a result of the Wolf Memorandum. *See Pls.' Proposed Order ¶ 6* (Dkt. 347-1); Pls.' Mem. 18-19 & n.12 (Dkt. 349); Defs.' Opp. 9-11 (Dkt. 350).

Respectfully submitted,

By: /s/ Araceli Martínez-Olguín  
Araceli Martínez-Olguín, Esq. (AM 2927)  
Mayra B. Joachin, Esq. (pro hac vice)  
NATIONAL IMMIGRATION LAW CENTER  
3450 Wilshire Blvd. #108-62  
Los Angeles, CA 90010

By: /s/ Matthew Colangelo  
Matthew Colangelo  
*Chief Counsel for Federal Initiatives*  
Anisha S. Dasgupta, *Deputy Solicitor General*  
Alex Finkelstein, *Project Attorney*  
Sania Khan, *Assistant Attorney General*

(213) 639-3900  
martinez-olguin@nilc.org

Trudy S. Rebert, Esq. (TR 6959)  
NATIONAL IMMIGRATION LAW CENTER  
P.O. Box 721361  
Jackson Heights, NY 11372  
(646) 867-8793

Joseph Wardenski, *Senior Trial Counsel*  
Office of the New York State Attorney General  
28 Liberty Street  
New York, NY 10005  
Phone: (212) 416-6057  
Matthew.Colangelo@ag.ny.gov

*Attorneys for the State Plaintiffs in 17-CV-5228  
(NGG) (VMS)*

Camila Bustos, Law Student Intern  
Armando Ghinaglia, Law Student Intern  
Angie Liao, Law Student Intern\*  
Edgar A. Melgar, Law Student Intern  
Medha Swaminathan, Law Student Intern\*  
Ramis Wadood, Law Student Intern  
Muneer I. Ahmad, Esq. (MA 9360)  
Marisol Orihuela, Esq. (pro hac vice)  
Michael J. Wishnie, Esq. (MW 1952)  
JEROME N. FRANK LEGAL SERVS. ORG.  
P.O. Box 209090  
New Haven, CT 06520  
(203) 432-4800

Karen C. Tumlin, Esq. (pro hac vice)  
Cooperating Attorney  
JEROME N. FRANK LEGAL SERVS. ORG.  
P.O. Box 209090  
New Haven, CT 06520  
(323) 316-0944

Vanessa Dell, Esq. (VD 1157)  
Jessica Young, Esq.\*\*  
MAKE THE ROAD NEW YORK  
301 Grove Street  
Brooklyn, NY 11237  
(718) 418-7690

*Attorneys for the Batalla Vidal Plaintiffs in  
16-CV-4756 (NGG) (VMS)*

\* Motion for law student appearance  
pending

\*\*Application forthcoming in E.D.N.Y.